

SENATE BILL 1120

By Marrero

AN ACT to amend Tennessee Code Annotated, Title 49;
Title 50 and Title 68, relative to enact the "Youth
Sports Safety Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following language as a new part 17:

49-6-1701. This part shall be known and may be cited as the "Youth Sports Safety Act".

49-6-1702. As used in this part, unless the context otherwise requires:

(1) "Athletic activity" means all of the following:

(A) Interscholastic athletics;

(B) An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with a local education agency, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations;

(C) Noncompetitive cheerleading that is sponsored by or associated with a local education agency; and

(D) Practices, interschool practices and scrimmages for all of the activities listed under subdivisions (1)(A) - (C); and

(2) "Licensed health care provider" means all of the following:

(A) A physician licensed under title 63, chapter 6 or 9, who is trained in the evaluation and management of concussions;

(B) A psychologist licensed under title 63, chapter 11, with doctoral training in clinical neuropsychology and training in the evaluation and management of concussions; and

(C) A person licensed as an athletic trainer pursuant to title 63, chapter 24, who is trained in the evaluation and management of concussions.

49-6-1703.

(a) The department of health and the department of education shall develop and post on their Internet web sites, guidelines and other relevant materials to inform and educate students participating in or desiring to participate in an athletic activity, their parents or legal guardians and their coaches, about the nature and risk of concussion and closed head injury, including the risks associated with continuing to play or practice after a concussion or head injury. In developing the guidelines and materials, the departments shall utilize existing materials developed by the centers for disease control and prevention. A student participating in or desiring to participate in an athletic activity, and the student's parent or legal guardian, shall each school year, prior to participation by the student in an athletic activity, sign and return to the student's school an acknowledgment of receipt and review of a concussion and head injury information sheet developed under this subsection (a).

(b) A local education agency may hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding concussions and other head injuries, the importance of proper concussion management and how neuropsychological/neurocognitive testing can aid in the evaluation, management and recovery process. In addition to students, parents, legal guardians, coaches and other school officials, informational meetings may include physicians, psychologists, athletic trainers and physical therapists.

(c) A student who, as determined by a licensed health care provider, coach from the student's team, official certified athletic trainer or other official designated by the student's local education agency, exhibits signs or symptoms of a concussion or closed head injury while participating in an athletic activity shall be removed by the coach from participation at that time. The student shall not return to participation until the student is evaluated and cleared for return to participation in writing by a licensed health care provider.

(d) Once each school year, a coach shall complete the concussion management certification training course offered by the centers for disease control and prevention or the National Federation of State High School Associations, or another concussion management certification training course offered by another provider approved by the department of health. A coach shall not coach an athletic activity until the coach completes the training course required under required under this subsection (d).

(e) The local education agency shall establish the following minimum penalties for a coach found in violation of requirements under subsection (c), which penalties shall take effect two (2) years following the effective date of this section:

(1) For a first violation, suspension from coaching any athletic activity for the remainder of the season;

(2) For a second violation, suspension from coaching any athletic activity for the remainder of the season and for the next season; and

(3) For a third violation, permanent suspension from coaching any athletic activity.

(f) The sponsors of youth athletic activities not specifically addressed by this part are encouraged to follow the guidance set forth in this part.

(g) Nothing in this part shall be construed to create, establish, expand, reduce, contract or eliminate any civil liability on the part of any local education agency or local education agency employee.

SECTION 2. For purposes of promulgating guidelines, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2011, the public welfare requiring it and shall apply to athletic activities occurring in the 2011-2012 school year.